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TO: Examiner Viet Q. Le
U.S. Patent and Trademark Office

FROM: Joseph M. Barich

DATE: May 27, 2005

TELECOPY NUMBER: (703) 872-9306

CLIENT NO. 1021 - 11721US01

Number of Pages This Transmission (Including Cover Page: Sixteen (16)

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MAY 27 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Kenney et al.

Application No.: 09/857,096

Filed: August 17, 2001

For: METHOD AND APPARATUS
FOR REPLACING LOST PSTN
DATA IN A PACKET
NETWORK

Examiner: Viet Q. Le

Group Art Unit: 2667

Attorney Docket No.: 11721US01

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office (FAX No. (703) 872-9306) on May 27, 2005.

Joseph M. Barich

Signature

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Le:

This Response to Notice of Non-Compliant Amendment is in reply to the Notice of Non-Compliant Amendment mailed May 18, 2005. This Response is timely because it is being submitted within the one month shortened statutory period which ends on June 18, 2005. Please enter and consider the following:

The Amendment below was originally filed with the PTO on May 9th, 2005. However, the Listing Of Claims failed to include the entry "Claims 1-19 (Canceled)" with regard to previously canceled claims 1-19. The Applicant called Marcia Gordon,

Application No. 09/857,096
Attorney Docket No. 11721US02

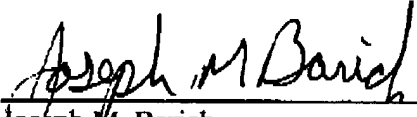
the Legal Instruments Examiner that issued the Notice of Non-Compliant Amendment, who confirmed the oversight and instructed the Applicant to re-file the amendment in corrected form (as enclosed below) along with the present explanatory coversheet.

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: May 27, 2005



Joseph M. Barich
Registration No. 42,291

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Joseph M. Barich

Signature

AMENDMENTMail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Examiner Le:

This Amendment is in response to the Office Action mailed February 9, 2005. This Amendment is timely because it was originally submitted within the three month shortened statutory period which ended on May 9, 2005. However, a Notice of Non-Compliant Amendment was mailed from the PTO on May 19, 2005. The Amendment has been corrected and is now being submitted within the one month shortened statutory period for reply to the Notice of Non-Compliant Amendment which ends on June 18, 2005. Please enter and consider the following

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